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PETITION FOR WITHDRAWAL OF
ABANDONMENT
Examining Group 1625
Patent Application
Docket No. GJE-136D1
Serial No. 09/928,139

TECH CENTER 1625/2030

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Celia C. Chang
Art Unit : 1625
Applicants : Marianne Langston, Hooshang Shahriari Zavareh
Serial No. : 09/928,139
Filed : August 10, 2001
Conf. No. : 6929
For : Manufacture of Single Isomer Methylphenidate

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

PETITION FOR WITHDRAWAL OF ABANDONMENT

Sir:

It is respectfully requested that the indication of abandonment set forth in the Notice dated August 22, 2003 be withdrawn and that the above-identified application be returned to prosecution.

A Notice of Abandonment dated August 22, 2003 for the subject application was received by Applicants' undersigned representative on August 25, 2003 indicating that the application was abandoned in view of "Applicant's failure to timely file a proper response to the Office letter mailed February 14, 2003" and that "No reply has been received." However, Applicants respectfully assert that a response to the February 14, 2003 Office Action in the form of an Amendment Under 37 CFR §1.111, along with a Petition and Fee for Extension of Time Under 37 CFR §1.136(a), was mailed to the Patent Office on August 14, 2003. A copy of Applicants' Amendment Under 37 CFR §1.111,

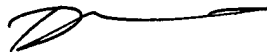
Petition and Fee for Extension of Time Under 37 CFR §1.136(a), and a copy of the return postcard evidencing receipt of the Amendment and Petition by the Patent Office on August 18, 2003 are attached to this Petition. Thus, Applicants "reply" to the Office Action dated February 14, 2003 has been received by the Patent Office.

In addition, an Interview Summary was attached to the Notice of Abandonment wherein the Examiner indicated that a telephonic conference was conducted with Applicants' undersigned representative on August 19, 2003 and that an agreement was reached. In fact, the Examiner left a voicemail message for Applicants' undersigned representative inquiring as to whether Applicants had filed a response to the outstanding Office Action. Applicants' undersigned representative did not conduct a telephonic conference with the Examiner and did not indicate to the Examiner that the subject application should be allowed to go abandoned.

In view of the above, Applicants respectfully request that the abandonment of the subject application be withdrawn and that the application be returned to prosecution.

No fees are believed to be due in connection with this petition in view of Applicants' Petition and Fee for Extension of Time and Amendment Under 37 CFR §1.111 submitted in response to the Office Action dated February 14, 2003. However, should the Patent Office determine that fees are due in conjunction with this petition, then the Commissioner is hereby authorized to charge any such fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



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DRP/sl

Attachments: copy of Amendment Under 37 CFR §1.111; copy of Petition and Fee for Extension of Time Under 37 CFR §1.136(a); copy of return postcard.